

REMARKS/ARGUMENTS

This is in response to the office action dated January 27, 2010.

In this response, the applicant has not added any claims or independent claims. Accordingly, no claim fees are applicable.

In the Office action, the Examiner has rejected claims 1-9 under 35 U.S.C. 112, second paragraph, indicating that it was not readily apparent whether in claim 1, the applicant was claiming the combination of a functional unit and a door or just a functional unit. The applicant has amended claim 1 to more clearly indicate that the claim is directed to a functional unit, and that the door itself, while described to some extent, is not part of the claimed structure. While there is certain structure on the door that is relevant to the claim (eg. the door must have a window), this does not necessitate the door being included as a positively recited element of the claim. The applicant submits that claim 1 now more clearly indicates that it is directed solely to the functional unit, and that it is in conformance with 35 U.S.C. 112, second paragraph.

The Examiner had also expressed that claim 8 is not clear due to its reference to a door and to the functional unit of claim 1. The applicant has amended claim 8 to more clearly state that it is directed to a combination of a door and a functional unit, and no longer refers to claim 1, but instead sets forth all the claimed structure on its own.

In the Office action, the Examiner has rejected claims 1-4 and 8 under 35 USC 102(b) as being anticipated by US5,902,004 (Waltz et al). The Examiner indicated that the applicant's arguments were not persuasive because they were more limiting than the claims. In the previous office action, the Examiner stated further that the applicant is correct in the arguments but for the use of phraseology which the Examiner indicated failed to positively recite the claimed invention. Thus, the Examiner indicated that the

claims would be patentable over Waltz et al if the claim limitations were positively recited. The applicant has amended claim 1 to positively recite all the limitations contained therein. The applicant submits that this amendment to claim 1 addresses the Examiner's concern, and that claim 1 is thus patentable over the cited art.

The applicant submits that claims 2-9 are patentable at least by way of their dependency on claim 1.

The applicant respectfully submits that the application is in condition for allowance and requests that a timely Notice of Allowance be issued.

Respectfully submitted,



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